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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/718,831	11/21/2003	Stanley A. Sewitch JR.	KEN.001.P	1274	
26990 7590 11/09/2007 DAVID B. WALLER & ASSOCIATES			EXAMINER		
5677 OBERLIN DRIVE			DONNELLY, JEROME W		
SUITE 214 SAN DIEGO, CA 92121			ART UNIT	PAPER NUMBER	
•				3764	
			MAIL DATE	DELIVERY MODE	
			11/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
. • ·	10/718,831	SEWITCH ET AL.			
Office Action Summary	Examiner	Art Unit			
	Jerome W. Donnelly	3764			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim will apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE.	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status					
Responsive to communication(s) filed on 2a) ☐ This action is FINAL. 2b) ☐ This 3) ☐ Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro				
Disposition of Claims					
4) Claim(s) 4-8 is/are pending in the application 4a) Of the above claim(s) is/are withdray 5) Claim(s) is/are allowed. 6) Claim(s) 4-8 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or	wn from consideration.				
Application Papers					
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Example 11.	epted or b) objected to by the drawing(s) be held in abeyance. Section is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. JEROME DONNELLY PRIMARY EXAMINER					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate			

Application/Control Number: 10/718,831

Art Unit: 3764

discovered reference(s) to Titus and Chen. Rejections based on the newly cited

The indicated allowability of claims 4-8 is withdrawn in view of the newly

reference(s) follow.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Titus in view of Chen.

Titus discloses a device comprising two components, each having a joining end and each having a connection means, and the connection means comprising a receiving means and a joining means.

Titus however does not disclose his device comprising his two components as being tubular and having a connection means comprising a receiving means and a locking means as claimed.

Chen discloses a device comprising a tubular member having a receiving space and an axial shaft (113), a spring disposed inside of the receiving space around the shaft and a plurality of L-shaped grooves. The elements provided for the purpose of locking to elongated handle members together.

Given the above teachings the examiner notes that it would have been obvious to one of ordinary skill in the art to configure the shafts and locking means of Titus as

Application/Control Number: 10/718,831

Art Unit: 3764

claimed by applicant in view of the hollow shaft and springs locking pins and grooves of Chen, as known joining means in the art of locking two components of an exercise device together.

The restriction requirement of 11/13/06 is made final.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (571) 272-4975.

Jerome Donnelly

JEROME DONNELLY
PRIMARY EXAMINER